

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

**FILED**

AUG 9 2007

JIMMIE HINELY,

Plaintiff

U.S. DISTRICT COURT  
CLARKSBURG, WV 26301

v.

CIVIL ACTION NO. 1:07-CV-64

MICHAEL J. ASTRUE,  
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER**

On July 18, 2007 the defendant filed his Answer [Document No. 6] and on July 19, 2007 filed the Administrative Transcript [Document No. 8]. Plaintiff's Motion for Summary Judgment and Supporting Brief are due to be filed on August 17, 2007. On August 9, 2007 the Plaintiff by counsel moved the court for an enlargement of time until August 31, 2007 to file his Motion and Brief, representing to the Court that the Defendant's Answer and Transcript were received while Plaintiff's Counsel was on vacation and that accumulated and previously scheduled matters prevent adequate attention to the Plaintiff's Brief and Motion by August 17, 2007. The Defendant has no objection to the motion. The Court being of the opinion that the Plaintiff's motion is reasonable and should be granted, it is

**ORDERED** that the time in which Plaintiff's Motion for Summary Judgment and Supporting Brief must be filed is hereby extended until August 31, 2007.

The Clerk is directed to transmit copies of this Order to counsel of record herein.

ENTER:

*August 9, 2007 John S. Kaull*

John S. Kaull

United States Magistrate Judge